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Robert E. Novak

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EXAMINER

O STEEN, DAVID R

ART UNIT

PAPER NUMBER

2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/010,736	Applicant(s) NOVAK ET AL.	
	Examiner David R. O'Steen	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 31-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 31-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11-10-06 and 1-19-2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-29 and 31-41 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536).

As regards Claims 1 and 41, Milewski discloses a method and system for distributing personalized editions of media programs, the method comprising: accessing a media program at an editing device (such as a television with upstream communication, col. 7, lines 7-24); receiving a designation of points of interest within the media program (such as sending to a server, fig. 1.120, a bookmark for the segment of interest, col. 3, lines 10-14 and 31-47), generating a bookmark defining each designated point of interest within the media program (col. 3, lines 37-46), and transmitting the bookmark to a playback device having access to the media program (col. 3, lines 56-63), wherein the bookmark is usable by the playback device (such as a computer, fig. 1.150) to skip from one point of interest to another within the media program in

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response to a user command (such as by selecting the URL of one bookmarked segment or going to another, col. 6, lines 18-22, in, for example, an archived news program, col. 5, lines 64-67). Milewski fails to disclose designating at least two points of interest as well as designating a sequence of bookmarks defining a personalized path through the media program. Logan discloses designating at least two points of interest as well as designating a sequence of bookmarks defining a personalized path through the media program (such as by marking the beginning of a commercial segment and marking the end of a commercial segment, col. 7, lines 11-64).

At the time of the invention, it would have been obvious to one skilled in the art to combine the sequence of bookmarks, as done in Logan, an analogous art, to the distribution of personalized editions of media program as disclosed by Milewski so the user has better ways to navigate through the finished media program.

As regards Claim 5, Milewski further discloses transmitting the at least one bookmark from the editing device to the playback device via a network (such as via server connected to the playback device by the Internet, col. 3, lines 56-63).

As regards Claim 6, Milewski further discloses that the network is selected from the group consisting of a cable television network, a direct broadcast satellite network, and the Internet (such as via server connected to the playback device by the Internet, col. 3, lines 56-63).

As regards Claim 10, Milewski further discloses that the sequence of bookmarks is encapsulated within a program interface object (in this case, in HTML format with the

bookmark location information stored as a URL and with associated descriptive text explaining the bookmark, col. 7, lines 33-41).

As regards Claim 12, Milewski further discloses that at least one bookmark comprises a non-time positional reference (such as at the beginning of a news segment, col. 5, lines 64-67).

As regards Claim 15, Milewski further discloses that accessing comprises downloading the media program from a server (such as an archive server, fig. 1.125, and col.6, lines 19-23).

As regards Claim 20, Milewski further discloses that the editing device comprises an interactive television system (such as accommodating upstream communication, col. 7, lines 7-24).

Claims 2, 4, 11, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Vallone (US 6,642,939).

As regards Claim 2, Milewski and Logan jointly disclose the method and system of Claim 1 and 21 as well as accessing the program at the playback device (such as the PC, fig. 1.150) from a source other than the editing device (such as the archives server, fig. 1.125); and receiving at least one bookmark at the playback device (col. 3, lines 56-63). Logan discloses that the sequence of bookmarks (col. 7, lines 11-64) is received directly from the editing device (fig. 1.38, col. 7, lines 26-29) but they both fail to disclose that during the presentation of the media program, skipping to a point of

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interest marked by a next bookmark in response to a user command. Vallone discloses that during the presentation of the media program, skipping to a point of interest marked by at least one bookmark in response to a user command (col. 21, lines 11-18).

At the time of invention, it would have been obvious for one skilled in the art to combine the skipping during a media presentation, as in Vallone, an analogous art, with the book-marking method of Milewski and Logan to further increase the ease of navigation through the media for the user.

As regards Claim 4, Vallone further discloses starting a presentation of the media program at a position marked by a previous bookmark in response to a user command received at the playback device (the user can continue watching a program at a bookmark left to signify where the user stopped watching a particular program, col. 16, lines 40-42 or, indeed, watch a program starting at a place marked by any of his bookmarks, col. 16, lines 49-50).

As regards Claim 11, Vallone discloses that at least one bookmark comprises a time reference (col.16, lines 40-42).

As regards Claim 16, Vallone further discloses that accessing comprises digitally recording the media program from a broadcast medium (cols. 20 and 21, lines 34-38 and 11-18).

At the time of invention it would have been obvious to one skilled in the art to combine the digital recording of Vallone, an analogous art, with the book marking of Milewski because digital recording is prevalent and easy for a viewer to use.

As regards Claim 17, Vallone further discloses that accessing comprises accessing a removable storage medium (mediums which can hold media with bookmarks that the user can assess includes DVDs, VCRs, and MP3s) including the media program (col. 21, 19-22).

At the time of invention it would have been obvious to one skilled in the art to combine the removable storage mediums of Vallone, an analogous art, with the book marking of Milewski because storage mediums like DVDs are prevalent and easy for a viewer to use.

As regards Claim 18, Vallone further discloses that the removable storage medium comprises a digital versatile disk (DVDs) (col. 21, lines 19-22).

As regards Claims 19, Vallone further discloses that the playback device comprises an interactive television system (such as a system that allows easy interactivity such as digital recording and "trick play" as well EPG functions, figs. 17-19 and col. 20, lines 33-38).

Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Abecassis (US 5,610,653).

As regards Claim 3, Milewski and Logan disclose the method of Claim 1 but fail to disclose starting the presentation of the media program at a position defined by a next bookmark. Abecassis discloses starting the presentation of the media program at a position defined by a next bookmark (col. 40, lines 31-38).

At the time of the invention it would have been obvious to one skilled in the art to combine the jumping to the next bookmark as done in Abecassis, an analogous art, with the method of Milewski so that viewers could skip over objectionable material.

As regards Claims 13, Abecassis further discloses that at least one bookmark marks a beginning of a segment of interest (by flagging off a segment and including it, col. 40, lines 31-38).

Claim 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) in view of Voyticky (US 6,438,751).

As regards Claim 7, Milewski and Logan disclose the method of Claim 1, but fail to disclose transmitting the sequence of bookmarks from the editing device to the playback device using a wireless technique. Voyticky discloses transmitting the sequence of bookmarks from the editing device to the playback device using a wireless technique (col. 5, lines 34-46).

At the time of invention, it would have been obvious to one skilled in the art to combine the wireless technique of Voyticky with the book-marking method of Milewski and Logan because using a wireless transmission method makes sending bookmarks easy for the user.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Hatano (US 6,951,031).

As regards Claim 8, Milewski and Logan disclose the method of Claim 1, but fail to disclose physically transporting the at least one bookmark from the editing device to the playback device on a removable storage medium. Hatano discloses physically transporting the sequence of bookmarks (such as a URLs) from the editing device to the playback device on a removable storage medium (such as a DVD, col. 11, lines 4-12). The examiner notes that once bookmarked information is on a removable storage medium such as a DVD, one is able to transfer it to other devices such as a playback device.

At the time of invention, it would have been obvious to one of ordinary skilled in the art to combine the physical transportation of Hatano with the book-marking method of Milewski and Logan to make transporting bookmarks easier for the user.

As regards Claims 9, Hatano further discloses that the storage medium is selected from a group consisting of a magnetic disk, an optical disc (such as a DVD, col. 11, lines 4-12), and a non-volatile flash memory card.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (5,892,536) and in further view of Abecassis (US 5,610,563) and in further view of Novak (US 4,750,213)

As regards Claim 14, Milewski and Logan disclose the method of Claim 1 but fail to disclose the at least one excerpt comprises at least one bookmark marks an end point of a segment comprising at least one advertisement within the media program.

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Abecassis discloses that a bookmark marks an end point of a segment comprising at least one segment within the media program (col. 40, lines 31-38).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine the segment book-marking of Abecassis, an analogous art, with the book-marking of Milewski and Logan to allow the user to quickly and easily identify segments of media.

Milewski, Logan, and Abecassis, however, both fail to disclose that the segment comprises at least one advertisement within the media program. Novak discloses that the segment comprises at least one advertisement within the media program. (cols. 1 and 3, lines 23-31 and 12-55).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to identify advertisements as done in Novak, an analogous art, in the method of Milewski, Logan, and Abecassis to allow the user to skip advertisements or commercials that do not interest him.

Claims 21, 25-26, 32, 35, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Hayward (US 2004/0045040).

As regards Claim 21, Milewski discloses a system for distributing personalized editions of media programs, the system comprising: an editing device comprising: accessing a media program (such as a television with upstream communication, col. 7, lines 7-24); receiving a designation of points of interest within the media program (such

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as sending to a server, fig. 1.120, a bookmark for the segment of interest, col. 3, lines 10-14 and 31-47), generating a bookmark defining each designated point of interest within the media program (col. 3, lines 37-46), and transmitting the bookmark to a playback device having access to the media program (col. 3, lines 56-63), wherein the bookmark is usable by the playback device (such as a computer, fig. 1.150) to skip from one point of interest to another within the media program in response to a user command (such as by selecting the URL of one bookmarked segment or going to another, col. 6, lines 18-22, in, for example, an archived news program, col. 5, lines 64-67). Milewski fails to disclose wherein one or more user-selectable actions performable in connection with the media program and wherein the playback device receives the PIO from the bookmark transmission component of the editing device. Logan discloses wherein one or more user-selectable actions performable in connection with the media program (such as by marking the beginning of a commercial segment and marking the end of a commercial segment, col. 7, lines 11-64, so that it can be deleted) and wherein the playback device receives the PIO from the bookmark transmission component of the editing device (fig. 1.40 and col. 7, lines 26-29).

At the time of the invention, it would have been obvious to one skilled in the art to combine the actions, as done in Logan, an analogous art, to the distribution of personalized editions of media program as disclosed by Milewski so the at the user has better ways to navigate through the finished media program.

Milewski and Logan, however, do not disclose wherein the bookmark is an attribute of the program information object (PIO) for the media program, the PIO

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comprising one or more attributes including information about the media program wherein the PIO is to be represented by a visual indicator displayable in a graphical in a graphical interface to facilitate user interaction with the PIO. Hayward discloses wherein the bookmark is an attribute of the program information object (PIO) for the media program, the PIO comprising one or more attributes including information about the media program wherein the PIO is to be represented by a visual indicator displayable in a graphical interface to facilitate user interaction with the PIO (the bookmark is embedded in media page with other information and provides visual indicators in a graphical interface, paragraphs 53-57, and fig. 2).

At the time of the invention, it would have been obvious to one skilled in the art to combine the graphical interface of Hayward, an analogous art, to the bookmarking of Milewski and Logan to make interaction with the media easier for the user.

As regards Claim 25, Milewski further discloses transmitting the at least one bookmark from the editing device to the playback device via a network (such a via server connected to the playback device by the Internet, col. 3, lines 56-63).

As regards Claim 26, Milewski further discloses that the network is selected from the group consisting of a cable television network, a direct broadcast satellite network, and the Internet (such a via server connected to the playback device by the Internet, col. 3, lines 56-63).

As regards Claim 32, Milewski further discloses that at least one bookmark comprises a non-time positional reference (such as at the beginning of a news segment, col. 5, lines 64-67).

As regards Claim 35, Milewski further discloses that accessing comprises downloading the media program from a server (such as an archive server, fig. 1.125, and col.6, lines 19-23).

As regards Claim 40, Milewski further discloses that the editing device comprises an interactive television system (such as accommodating upstream communication, col. 7, lines 7-24).

Claims 22, 24, 31, and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Hayward (US 2004/0045040) and in further view of Vallone (US 6,642,939).

As regards Claim 22, Milewski, Logan, and Hayward jointly disclose the method and system of Claim 21 as well as accessing the program at the playback device (such as the PC, fig. 1.150) from a source other than the editing device (such as the archives server, fig. 1.125); and receiving at least one bookmark at the playback device (col. 3, lines 56-63). Logan discloses that the sequence of bookmarks (col. 7, lines 11-64) is received directly from the editing device (fig. 1.38, col. 7, lines 26-29) but they both fail to disclose that during the presentation of the media program, skipping to a point of interest marked by a next bookmark in response to a user command. Vallone discloses that during the presentation of the media program, skipping to a point of interest marked by at least one bookmark in response to a user command (col. 21, lines 11-18).

At the time of invention, it would have been obvious for one skilled in the art to combine the skipping during a media presentation, as in Vallone, an analogous art, with the book-marking method of Milewski, Logan, and Hayward to further increase the ease of navigation through the media for the user.

As regards Claim 24, Vallone further discloses starting a presentation of the media program at a position marked by a previous bookmark in response to a user command received at the playback device (the user can continue watching a program at a bookmark left to signify where the user stopped watching a particular program, col. 16, lines 40-42 or, indeed, watch a program starting at a place marked by any of his bookmarks, col. 16, lines 49-50).

As regards Claim 31, Vallone discloses that at least one bookmark comprises a time reference (col.16, lines 40-42).

As regards Claim 36, Vallone further discloses that accessing comprises digitally recording the media program from a broadcast medium (cols. 20 and 21, lines 34-38 and 11-18).

At the time of invention if would have been obvious to one skilled in the art to combine the digital recording of Vallone, an analogous art, with the book marking of Milewski, Logan, and Hayward because digital recording is prevalent and easy for a viewer to use.

As regards Claim 37, Vallone further discloses that accessing comprises accessing a removable storage medium (mediums which can hold media with

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bookmarks that the user can assess includes DVDs, VCRs, and MP3s) including the media program (col. 21, 19-22).

At the time of invention it would have been obvious to one skilled in the art to combine the removable storage mediums of Vallone, an analogous art, with the book marking of Milewski, Logan, and Hayward because storage mediums like DVDs are prevalent and easy for a viewer to use.

As regards Claim 38, Vallone further discloses that the removable storage medium comprises a digital versatile disk (DVDs) (col. 21, lines 19-22).

As regards Claim 39, Vallone further discloses that the playback device comprises an interactive television system (such as a system that allows easy interactivity such as digital recording and "trick play" as well EPG functions, figs. 17-19 and col. 20, lines 33-38).

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in further view of Logan (US 5,892,536) and in further view of Hayward (US 2004/0045040) in view of Vallone (US 6,642,939) and in further view of Abecassis (US 5,610,653).

As regards Claim 23, Milewski, Logan, Hayward, and Vallone jointly disclose the system of Claim 22 but fail to disclose that the playback control component starts presentation of the media program at a position marked by a next bookmark in response to a user command received by the playback device. Abecassis discloses that the playback control component starts presentation of the media program at a

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position marked by a next bookmark in response to a user command received by the playback device (col. 40, lines 31-38).

At the time of the invention it would have been obvious to one skilled in the art to combine the jumping to the next bookmark as done in Abecassis, an analogous art, with the system of Milewsk, Logan, Hayward, and Vallonei so that viewers could skip over objectionable material.

Claim 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Hayward (US 2004/0045040) and in further view of Voyticky (US 6,438,751).

As regards Claim 27, Milewski, Logan, and Hayward disclose system of Claim 21, but fail to disclose transmitting the PIO including at least one bookmark from the editing device to the playback device using a wireless technique. Voyticky discloses transmitting the at least one bookmark from the editing device to the playback device using a wireless technique (col. 5, lines 34-46).

At the time of invention, it would have been obvious to one skilled in the art to combine the wireless technique of Voyticky with the book-marking method of Milewski, Logan, and Hayward because using a wireless transmission method makes sending bookmarks easy for the user.

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Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Hayward (US 2004/0045040) and in further view of Hatano (US 6,951,031).

As regards Claim 28, Milewski, Logan, and Hayward disclose the system of Claim 21 but fail to disclose physically transporting the at least one bookmark from the editing device to the playback device on a removable storage medium. Hatano discloses physically transporting the at least one bookmark (such as a URL) from the editing device to the playback device on a removable storage medium (such as a DVD, col. 11, lines 4-12). The examiner notes that once bookmarked information is on a removable storage medium such as a DVD, one is able to transfer it to other devices such as a playback device.

At the time of invention, it would have been obvious to one of ordinary skilled in the art to combine the physical transportation of Hatano with the book-marking method of Milewski, Logan, and Hayward to make transporting bookmarks easier for the user.

As regards Claim 29, Hatano further discloses that the storage medium is selected from a group consisting of a magnetic disk, an optical disc (such as a DVD, col. 11, lines 4-12), and a non-volatile flash memory card.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in view of Logan (US 5,892,536) and in further view of Hayward (US 2004/0045040) and in further view of Abecassis (US 5,610,653).

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As regards Claim 33, Milewski, Logan, and Hayward jointly disclose the system of Claim 21 but fail to disclose that at least one bookmark marks a beginning of a segment of interest. Abecassis discloses that at least one bookmark marks a beginning of a segment of interest (by flagging off a segment and including it, col. 40, lines 31-38).

At the time of the invention it would have been obvious to one skilled in the art to combine the bookmark marking the beginning of a segment, as done in Abecassis, an analogous art, with the method of Milewski, Logan, and Hayward so that viewers could flag important segments.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milewski (US 6,289,346) in further view of Logan (US 5,892,536) and in further view of Hayward (US 2004/0045040) in view of Abecassis (US 5,610,563) and in further view of Novak (US 4,750,213)

As regards Claim 34, Milewski, Logan, and Hayward disclose the system of Claim 21 but fail to disclose the at least one excerpt comprises at least one bookmark marks an end point of a segment comprising at least one advertisement within the media program. Abecassis discloses that a bookmark marks an end point of a segment comprising at least one segment within the media program (col. 40, lines 31-38).

At the time of invention it would have been obvious to a person of ordinary skill in the art to combine the segment book-marking of Abecassis, an analogous art, with the book-marking of Milewski, Logan, and Hayward to allow the user to quickly and easily identify segments of media.

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Milewski, Logan, Hayward, and Abecassis, however, both fail to disclose that the segment comprises at least one advertisement within the media program. Novak discloses that the segment comprises at least one advertisement within the media program. (cols. 1 and 3, lines 23-31 and 12-55).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to identify advertisements as done in Novak, an analogous art, in the method of Milewski to allow the user to skip advertisements or commercials that do not interest him.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R. O'Steen whose telephone number is 571-272-7931. The examiner can normally be reached on 8:30 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DRO



CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
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